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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application Serial No.09/746,918
Filing Date12/22/2000
InventorshipParupudi et al.
ApplicantMicrosoft Corp.
Group Art Unit2685
ExaminerNguyen, Duc
Attorney's Docket No.MS1-695US
Title: Context-Aware and Location-Aware Cellular Phones and Methods

INTERVIEW SUMMARY FOR INTERVIEW DATED MARCH 15, 2004
REQUIRED UNDER 37 CFR 1.133(b)

To: Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

From: Rob R. Cottle (Tel. 509-324-9256, ext 247; Fax 509-323-8979)
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ADMINISTRATIVE DETAILS

Status: Not Under Final

Participants: Rob Cottle, Lance Sadler, Edward Urban, Duc Nguyen

Proposed Date of Interview: March 9, 2004

Actual Date of Interview: March 15, 2004

Type of Interview: Telephonic

Exhibit Shown: No

ISSUES DISCUSSED

1
2 The Office's rejection under 102 of **claims 5-6, 15, 24, and 54** based on
3 Te-eni (PCT Pub. Number WO 99/55102) was discussed.

4 The Office's rejection under 103(a) of **claims 17 and 58** based on the
5 combination of Te-eni and Kuwahara (U.S. Patent No. 6,389,288) was discussed.

6 The Office's rejection under 103(a) of **claims 36, 41 and 42** based on
7 Kovacs ("Adaptive Mobile Access to Context-aware Service", IEEE 1999, pp.
8 190-201) was discussed.

9 The Office's rejection under 103(a) of **claim 31** based on the combination
10 of Kovacs and Te-eni was discussed.

11 The Office's rejection under 103(a) of **claims 48 and 50** based on
12 Kuwahara was discussed.

13 The Office's rejection under 103(a) of **claim 51** based on the combination
14 of Te-eni and Nelson was discussed.

Arguments Made and Agreements Reached

15
16
17 Applicant argued that **claims 5-6, 15, 51, 54, and 58** were not properly
18 rejected because Te-eni does not disclose a cellular phone capable of determining
19 its own context. The examiner and his supervisor agreed with Applicant's analysis
20 and stated that the claims are allowable based on the references of record.

21 Applicant argued that **claims 17 and 24** were not properly rejected because
22 Te-eni does not disclose a cellular phone capable of determining its own location.
23 The examiner and his supervisor agreed with Applicant's analysis and stated that
24 the claims are allowable based on the references of record.

25

1 Applicant argued that **claims 31, 36, 41, and 42** were not properly rejected
2 because Kovacs does not disclose class types, as Applicant has defined and used
3 the term. The examiner and his supervisor agreed with Applicant's analysis and
4 stated that the claims are allowable based on the references currently cited against
5 them. However, the Office asked that Applicant make a minor amendment to
6 **claim 31** for purposes of clarification only.

7 Applicant argued that **claim 48** was not properly rejected because
8 Kuwahara does not disclose the claimed subject matter. The examiner and his
9 supervisor agreed with Applicant's analysis but asked that the claim be amended
10 to change the form, *but not the substance*, of the claim. In addition, the Office
11 requested that Applicant point out support in the specification for this claim in
12 Applicant's next Office Action response, which Applicant did. *Substantively*, the
13 claim was deemed allowable based on the references of record.

14 Applicant argued that **claim 50** was not properly rejected because
15 Kuwahara does not disclose traversing a hierarchical tree structure. The examiner
16 and his supervisor agreed with Applicant's analysis and stated that the claim is
17 allowable based on the references of record.

18 Conclusion

19
20 Applicant respectfully submits that the Office's Interview Summary was
21 incorrect on a number of grounds. Accordingly, Applicant respectfully requests
22 the Office to correct the record.

23 First, the Office's listing of claims discussed was inaccurate. Claim 1 was
24 *not* discussed, but claim 5 was. In addition, as indicated above, agreement was
25 reached on *all* claims discussed, although the Office requested that Applicant

1 make a clarifying amendment of claim 31 and a change of claim structure for
2 claim 48. Both claims, like all the others discussed, were deemed allowable.
3 Furthermore, the Office mischaracterized the substance of the interview when it
4 stated there were "discussions regarding how the cited prior art read on the
5 claimed limitations, particularly to the interpretation of the term "context
6 information" as recited in the claims." The Applicant argued that the references do
7 *not* read on the claimed limitations, and the examiner and his supervisor agreed
8 with Applicant's analysis and indicated that the claims were allowable.
9

10 Respectfully Submitted,

11
12 Dated: 5/7/04

13 By:

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Application Number: 09/746,918

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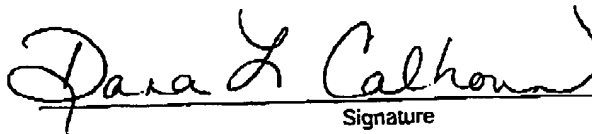
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1. Certificate of Transmission
2. Interview Summary for Interview dated 3/15/04 (5 pages)

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